

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

Russell E. Garner

*

Plaintiff,

*

*

vs.

*

Civil Case No. 01:06cv781-MHT

Progressive Direct Insurance Company,

*

*

Defendant.

*

REPORT OF PARTIES PLANNING MEETING

I. Pursuant to Fed. R. Civ. P. 26(f), a scheduling meeting was held on September 26, 2006, and was attended by:

David W. Rousseau for Plaintiff

Alex Holtsford for Defendant

II. Pre-Discovery Disclosures

The parties will exchange initial disclosures required by Fed. R. Civ. P. 26(a)(1) within twenty-one days after the scheduling order has been entered.

III. Discovery Plan

The parties jointly propose to the Court the following discovery plan:

- a. All discovery commenced in time to be completed by March 12, 2007.
- b. Maximum of 40 interrogatories by each party to the other party; responses are due 30 days after service.
- c. Maximum of 30 requests for admissions by each party to the other party; responses due 30 days after service;
- d. Maximum of 10 depositions by Plaintiff and 10 depositions by Defendants.
- e. Each deposition will not exceed four hours unless agreed to by the parties.

f. Reports from retained experts under Rule 26(a)(2) due:

From Plaintiffs :	December 1, 2006
From Defendants :	January 1, 2007

IV. Other Items

- a. Parties do not request a conference with the Court before entry of the scheduling order;
- b. The parties request a pretrial conference in April 2007.
- c. Plaintiffs will be allowed until December 1, 2006, to join additional parties and until December 1, 2006, to amend pleadings.
- d. Defendants shall be allowed until January 1, 2007, to join additional parties and until January 1, 2007, to amend pleadings.
- e. All potentially dispositive motions should be filed by March 12, 2007.
- f. Final list of witness and exhibits under Rule 26(a)(3) should be due:

Plaintiff's exhibit list -	March 12, 2007
Plaintiff's witness list -	March 12, 2007

Defendant's exhibit list -	March 12, 2007
Defendant's witness list -	March 12, 2007

- g. Parties should have ten days after service of final list of witnesses and exhibits to list an objection under Rule 26(a)(3).
- h. The case should be ready for trial by May 7, 2007, and is expected to take approximately 2 days.

Dated: September 26, 2006 _____

/s Alex L. Holtsford, Jr
 Alex L. Holtsford, Jr. (HOL048)
 Attorney for Defendant

OF COUNSEL:
 Nix Holtsford Gilliland
 Higgins & Hitson, P.C.
 Post Office Box 4128

Montgomery, Alabama 36104
334-215-8585

s/David W. Rousseau
David W. Rousseau
Attorney for Plaintiff

OF COUNSEL:

David W. Rousseau
Attorney For Plaintiff
211 W. Adams Street
Dothan, Alabama 36303